

REMARKS

Claim 45 has been amended to delete the group “-(C₂H₄O)_a-(C₃H₆O)_bR¹” from the definition of (B1). No new matter has been added, and entry of the Amendment is respectfully requested.

Claims 45-47 and 49-52 are pending.

Claims 45, 47 and 49-51 were rejected under 35 U.S.C. § 102(b) as being anticipated by Bechtold (US 3,762,940) [and Engelhardt (US 3,476,827) as evidence].

Claims 46 and 52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bechtold [and Engelhardt].

The above two rejections should be withdrawn because Bechtold does not disclose or render obvious the present invention.

Bechtold was cited as teaching a coating composition comprising a hydroxylated fluoropolymer and a hexa(alkoxymethyl)-melamine (abstract and col. 4, lines 13-48). In addition to these basic components, Bechtold teaches that a block copolymer of one or more lower alkylene oxides with dimethylsiloxane as disclosed in Engelhardt may be added as an anti-silking agent (col. 7, lines 9-17).

The Examiner considers that Bechtold's organo-silicone polymers fall within the scope of the presently claimed stain-proofing component (B1) where the component is a polydialkylsiloxane with an alkyl-capped polyether chain.

However, amended claim 45 recites that “the stain-proofing component (B) is (B1) a liquid polydialkylsiloxane having hydroxyl, amino, epoxy, carboxyl, thiol, and/or hydrolysable alkyl silicate residue or (B2) a liquid fluoropolyether having hydroxyl, amino, epoxy, carboxyl, thiol, nitrile, iodine atom and/or hydrolysable alkyl silicate residue.”

Bechtold's organo-silicone polymers do not fall within the scope of the presently claimed stain-proofing component (B) as required by the amended claims.

Accordingly, the present claims are not anticipated by and are not obvious over Bechtold.

In view of the above, reconsideration and withdrawal of the §§102(b)/103(a) rejections based on Bechtold are respectfully requested.

Claims 45-47 and 49-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda et al (US 7,378,032).

This rejection should be withdrawn because Ueda et al is not prior art with respect to the present claims.

Ueda et al is a national stage of PCT/JP03/16232. The PCT application of Ueda et al was published in Japanese language on July 15, 2004 (i.e., on or after November 19, 2000) as WO 2004/059014. Accordingly, Ueda et al does not have a § 102(e) date. US 7,378,032 issued on May 27, 2008 and published as US 2006/0150863 on July 13, 2006 subsequent to Applicants' PCT filing date of January 22, 2004, also is not prior art with respect to the present claims.

Further, WO '014 (the PCT publication of Ueda et al) published on July 15, 2004 subsequent to Applicants' PCT filing date of January 22, 2004 also is not prior art.

Accordingly, Ueda et al is not available as prior art under any subsection of § 102.

In view of the above, withdrawal of the §103(a) rejection based on Ueda et al is requested.

Allowance of claims 45-47 and 49-52 is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 14, 2010

Hui Chen Wauters
Hui C. Wauters
Registration No. 57,426